

47

Notice of Allowability

Application No.

09/926,376

Examiner

Peter Poltorak

Applicant(s)

BALDISCHWEILER, MICHAEL

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/26/05.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ The drawings filed on 10/3/01 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4/26/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This Office Action is in response to Applicant's amendment filed on 4/26/05.
2. Claim 1 has been amended.

Examiner Amendment

3. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

The following changes were authorized (and permission to make same by Examiner's Amendment was given) in a telephone interview with Justin J. Cassell on 7/6/05).

4. Claim 1 presented in the amendment on 4/26/05 has been replaced with the attached version of the claim.

Allowable Subject Matter

5. Claims 1-14 are allowed.
6. The following is a statement of reasons for the indication of allowable subject matter.
7. Several pieces of prior art have been discovered.
8. *Ritz (EP Pub. 0497443 A2)* teach a microprocessor comparing the generated multiple-bit checksum word representing the longitudinal parity checksum of all of

Art Unit: 2134

the program instructions to the predetermined multiple-bit word, which is a known checksum of all of the program instructions.

9. *Gustafson et al.* (U.S. Patent No. 5504859) teach a data processor system, which integrates the features of parity checking, error correction code techniques.

However, *Gustafson et al.* achieve the goal by using a CPU with at least two processors operating in parallel on the same data in accordance with identical instructions.

10. *Boyle et al.* (U.S. Patent No. 6092229) teach a system that reads predetermined data and computes a checksum based on information received from the remote location and the predetermined data and compares a predetermined checksum to the received information checksum.

11. However, neither *Ritz*, *Gustafson et al.* nor *Boyle et al.* teach "determining an initial check sum with reference to the register contents arising before the onset of processing of the next instruction by the CPU, and creating an error message if the initial check sum does not match a final check sum" of the CPU arising at the end of processing of an instruction by the CPU, in combination with the other limitations of claim 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571) 272-3840. The examiner can normally be reached from Monday through Thursday from 9:00 until 5:00, and every other Friday from 9:00 until 5:00.

Art Unit: 2134

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-1600.

Examiner's Amendment

The amended claim 1

A method for protecting a computer with a central processing unit (CPU) from external manipulation, comprising the steps of:

determining a final check sum by mathematical combination with reference to register contents of the CPU arising at the end of processing of an instruction by the CPU,


storing the final check sum, and

determining an initial check sum with reference to the register contents arising before the onset of processing of the next instruction by the CPU, and creating an error message if the initial check sum does not match the final check sum.

Comment

Claims 2-14 remain the same as presented in the amendment on 4/26/05

GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100


7/8/05

